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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 NORTHWEST SHEET METAL WORKERS
9 ORGANIZATIONAL TRUST, *et al.*,

10 Plaintiffs,

v.

11 D.J. MECHANICAL, INC.,

12 Defendant,

v.

13 MIKE WERLECH CONSTRUCTION, INC.,

14 Garnishee.
15

Case No. MC19-0071RSL

ORDER DECLINING TO ISSUE
WRIT OF GARNISHMENT

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17 This matter comes before the Court on an “Applicant Affidavit for Writ of Garnishment
18 for Continuing Lien on Earnings” filed by the plaintiffs/judgment creditors. It is one of two
19 applications filed on the same date in which the plaintiffs/judgment creditors allege that the
20 defendant/judgment debtor, an incorporated entity that was apparently dissolved in May 2019, is
21 an employee of two separate garnishees. Dkt. # 1 at 2; MC19-0072RSL, Dkt. # 1 at 2.
22 Assuming, for purposes of this order, that the declarant has a reasonable basis for believing that
23 D.J. Mechanical, Inc., is an employee of both Mike Werlech Construction, Inc., and Pac West
24 Mechanical, LLC, the proposed form of writ is unacceptable. Federal Rule of Civil Procedure
25 69(a)(1) provides that the process for enforcing a money judgment is governed by the law of the
26 state where the judgment was entered unless a federal statute applies. The writ provided with the

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1 application is not in the form proscribed by state law. See RCW 6.27.105. The Court therefore
2 declines to issue the writ. No further action will be taken on the existing application.
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4 Dated this 18th day of June, 2019.

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6 Robert S. Lasnik

7 United States District Judge
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